

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 1:23-mj-03481 Louis

UNITED STATES OF AMERICA

vs.

WILLIAM MCCAUGHAN JR.,

Defendant.

_____ /

CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? No
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? No
3. Did this matter involve the participation of or consultation with now Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? No

Respectfully submitted,

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

BY: /s/ Lauren A. Astigarraga
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AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America

v.

WILLIAM MCCAUGHAN, JR.

Defendant(s)

Case No. **1:23-mj-03481 Louis**

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 12/19/2022-04/27/2023 in the county of Miami-Dade in the
Southern District of Florida, the defendant(s) violated:

Code Section
18 U.S.C. §§ 2252(a)(2) and (b)(1)
18 U.S.C. §§ 2252(a)(2) and (b)(1)

Offense Description
Receipt of Child Pornography; and
Attempted Receipt of Child Pornography.

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT.

☒ Continued on the attached sheet.


Complainant's signature

Timothy Augustyniak, Special Agent FBI
Printed name and title

Attested to by the Applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by FaceTime

Date: July 28 2023


Judge's signature

City and state: Miami, Florida

Hon. Lauren F. Louis, United States Magistrate Judge
Printed name and title

AFFIDAVIT

I, Timothy Augustyniak, a Special Agent with the Federal Bureau of Investigation ("FBI") being duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the FBI and have been so employed since 2015. I am currently assigned to the FBI's Child Exploitation and Human Trafficking Task Force, Miami Field Office, which targets individuals involved in the online sexual exploitation of children. As part of my duties, I investigate crimes involving the sexual exploitation of minors, including sex trafficking, child pornography, and enticement violations. I have received training on the proper investigative techniques for these violations, including the use of surveillance techniques, undercover activities, and the application and execution of arrest and search warrants. I have conducted and assisted in numerous child exploitation investigations. I have also executed search warrants that have led to seizures of child pornography as well as undercover operations that led to the recovery of juvenile victims of sex trafficking.

2. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code. That is, I am an officer of the United States, who is empowered by law to conduct investigations of and make arrests for, offenses enumerated in Title 18, United States Code, Sections 2422, 2423, 2251 and 2252, et seq.

3. This affidavit is submitted in support of a criminal complaint, which charges William Power McCaughan Jr. ("MCCAUGHAN") with receipt of child pornography, in violation of Title 18, United States Code, Section 2252(a)(2) and (b)(1), and attempted receipt of child pornography, in violation of Title 18, United States Code, Section 2252(a)(2) and (b)(1).

4. The information set forth in this affidavit comes from my personal involvement in

this investigation, as well as from information provided to me by other law enforcement officers and people with knowledge of the case. This affidavit does not represent every fact law enforcement knows about this investigation and is submitted for the limited purpose of establishing probable cause for the issuance of the criminal complaint against MCCAUGHAN for the aforementioned criminal violations.

PROBABLE CAUSE

5. MCCAUGHAN is an attorney and has been an active member of the Florida Bar since 2007. He currently practices at a law firm in the South Florida area.

The Kik Communications Between C.L. and OCE 1

6. On or about January 19, 2023, an FBI Online Covert Employee (“OCE 1”) communicated in a private message conversation on the mobile messaging application “Kik” with Kik user “caseyporter18,” a man later identified as C.L. During the conversation, C.L. sent several files depicting child pornography, including a video depicting C.L.’s 11-year-old niece fully nude while exiting from the shower (the “Video”). In the Video, the child’s breasts and vagina are completely exposed and visible. C.L. created and captured the Video by putting a secret video recorder inside the bathroom used by his niece without her knowledge.

7. Law enforcement was able to identify the real identity of Kik user “caseyporter18,” to be C.L., who was a man located in the State of Texas. On or about January 21, 2023, law enforcement interviewed C.L. At that time, C.L. provided consent to search his cellular phone and his Kik account, which related to the “caseyporter18” Kik username. C.L. admitted that the “caseyporter18” username belonged to him and was his Kik account. During the interview, C.L. admitted that the minor featured in the Video was in fact his 11-year-old niece. C.L. also admitted that in addition to sending the Video to OCE 1, he sent sexually explicit images and the Video to

another Kik user “wmccaugh.” Kik user “wmccaugh” told C.L. that he was an attorney located in South Florida. Notably, the username “wmccaugh,” is the first initial and first six letters of MCCAUGHAN’s name.

The Kik Communications Between C.L. and MCCAUGHAN

8. Law enforcement reviewed C.L.’s phone and discovered the private conversation on the Kik platform between Kik users “caseyporter18” and “wmccaugh.” Based on the content available in the application and the context of the chats, it appears that the beginning part of the conversation is either no longer available or has been deleted. The portion of the chat recovered demonstrated that C.L. and Kik user “wmccaugh” communicated from at least on or about December 19, 2022, through on or about January 20, 2023.

9. For example, in one instance on or about January 2, 2023, during the conversation, Kik user “wmccaugh” referred to a video previously sent in the chat, but that is no longer available, and stated “I liked that video of that girl grinding on the edge of the bathtub. How old do you think [she] was? . . . She looked like she was 11-13.” C.L. later stated that he did not have the video anymore, and Kik user “wmccaugh” responded, “I delete everything after a day or two. I get paranoid about my phone getting lost and someone looking through it or something like that.” From what can be seen in the portion of the conversation recovered, the messages demonstrated that C.L. sent several images of “age-difficult”¹ pornography and child erotica to Kik user “wmccaugh.”

¹ The term “age-difficult pornography” is a term used by law enforcement to designate that an image is possibly child pornography based on the body composition and facial features of the person, but that given that there is no confirmation as to the victim’s identity, law enforcement cannot say with 100% accuracy that the person is a minor. Some of the physical attributes that law enforcement looks for includes, but is not limited to: the person’s body composition; the body’s physical development; the presence of or lack thereof of pubic hair; and facial features.

10. At some point during the conversation, Kik user “wmccaugh” changed the topic of conversation and told C.L. that he wanted to “take [C.L.’s] niece on a road trip.” He later stated that he wanted to “cum all over and inside her before she develops too much.” Later, Kik user “wmccaugh” listed a variety of sexual acts he wanted to perform on C.L.’s niece, which he described as wanting to “eat her pussy while she’s still a virgin and then stretch it out all weekend,” and “[p]ound her mercilessly one night when we get her drunk.”

11. On or about January 19, 2023, C.L. sent Kik user “wmccaugh” the Video. In response to receiving the Video, Kik user “wmccaugh” commented that he really wanted to “see more of her pussy,” and asked C.L. to “spread it open so I can see.” Kik user “wmccaugh” also asked C.L. to send another video of C.L. receiving oral sex from his niece. The following day, on or about January 21, 2023, C.L. was arrested by federal authorities in the State of Texas.

The Kik Communications Between MCCAUGHAN and OCE 1

12. From on or about January 27, 2023, to on or about February 9, 2023, OCE 1 began communicating via private message on Kik, with Kik user “wmccaugh.” For the purposes of the investigation, OCE 1 was posing as an individual interested in exchanging sexually explicit images and videos depicting child pornography. During the conversation, Kik user “wmccaugh” told OCE 1 that he was 38 years old and had two daughters, ages 12 and 14.² Kik user “wmccaugh” also told OCE 1 that he lived in South Florida and worked in “commercial real estate.” OCE 1 also claimed that he had a daughter.

13. During the conversation, Kik user “wmccaugh” asked if OCE 1’s purported “child” started puberty yet and asked how his daughter feels about being seen naked or seeing others

² At this time, law enforcement has not been able to verify whether or not MCCAUGHAN has children. Thus, it is unclear whether or not this statement made by Kik user “wmccaugh” was true.

naked. Kik user “wmccaugh” also told OCE 1 that his 12-year-old daughter has “walked in on” him while masturbating three times. Kik user “wmccaugh” also asked if OCE 1 had an erection when his purported 11-year-old child saw him naked.

The Kik Communications Between MCCAUGHAN and OCE 2

14. From on or about April 11, 2023, to on or about April 24, 2023, another FBI Online Covert Employee (“OCE 2”) began communicating with Kik user “wmccaugh.” During the conversation, Kik user “wmccaugh” told OCE 2 that he was sexually active with his two daughters, which started when they were both 11 years old. Kik user “wmccaugh” stated, “I was their first and I took them to a resort and spa for the weekend for their 11th birthdays. Made it really special, took them out to a nice dinner the first night and let them have some champagne when we got back to the hotel room and went from there.” Later in the conversation Kik user “wmccaugh” stated, “[t]hey felt really special that first time and I explained how close we would be once we had sex and so they were eager until it started hurting. I always started with a lot of foreplay and then just kept easing it in telling them it wouldn’t hurt once we had done it a few times.”

15. The conversation between OCE 2 and Kik user “wmccaugh” continued for over a week. At some point during the conversation, OCE 2 indicated that he had access to files featuring sexually explicit content depicting children, and Kik user “wmccaugh” indicated that he was interested. On or about April 19, 2023, the following conversation ensued:

OCE 2	If yung naked pics and vids is what your interested in I have some Mega links I can share.
wmccaugh	Cool. Thanks
OCE 2	***OCE 2 then sent a fake link that when clicked, displayed filenames, which clearly appear to contain child sex abuse material of 3-year-old children and others. The files, however, do not generate any actual content and produce an error screen when selected.***
wmccaugh	Thanks but none of the links work and based on the titles they aren’t anywhere near the age range i like. Thank you though
OCE 2	It didn’t work? That’s weird. I have other links so let me know the ages u want.

	What did it say when u tried to open it?
wmccaugh	8 and up is good
OCE 2	Ok. I'll send some around that age. Curious what it showed u when u tried to open it as I just opened that link in Mega with no issues
wmccaugh	It had a slash through the play triangle ³

16. On or about April 21, 2023, Kik user “wmccaugh” expressed to OCE 2 his frustration that sex was treated as “private and taboo and off limits to kids.” Kik user “wmccaugh” explained that he believed “[l]ots of kids are horny and curious from a young age and even if they aren’t or don’t like it a lot, they need to learn.” Later that same day, “wmccaugh” told OCE 2 that he did not know where to find child pornography. OCE 2 explained that there are various online groups that could give him access to such content. The following conversation ensued:

OCE 2	If u want in the Mega group I can put u in touch with the guy who invited me to it
wmccaugh	Ok but I don’t have anything to share
OCE 2	That’s a problem then for getting in the groups
wmccaugh	I figured. No worries. Like I said I don’t save anything and really haven’t seen much of anything in a while
OCE 2	Well if u do find something yung feel free to forward it to me ;)
wmccaugh	Ok. If you have any other links I’d appreciate those

17. On or about April 24, 2023, Kik user “wmccaugh” reinitiated communication with OCE 2 after multiple days of not communicating. Kik user “wmccaugh” started the conversation asking, “[d]o you have any other mega links?” OCE 2 responded, “[h]ey man how was the weekend. I’m sorry I had to log out of Kik so my chat reset. I owe u a link man. Sorry. What ages did u want again?” to which Kik user “wmccaugh” responded “8-13.”

18. Earlier in the conversation, OCE 2 explained that he was a member of several groups on Kik comprised of likeminded individuals who were interested in exchanging child

³ The error message once the link is selected can appear in a variety of ways dependent on what media player a user is using when the link is selected. However, one of the icons that can be generated resembles a triangle with a slash over it, like the icon described by Kik user “wmccaugh” in the Kik chat with OCE 2.

erotica and pornography and offered to invite Kik user “wmccaugh” into one of the groups. Kik user “wmccaugh” responded “[s]ure an invite would be great.” A couple of days later Kik user “wmccaugh” told OCE 2 that he had been kicked out of the group. On or about April 27, 2023, Kik user wmccaugh told OCE 2 that he would “like to get back in the group but can you ask whoever is PMing⁴ good pics and videos in the age range I like to PM me?” OCE 2 explained that Kik user “wmccaugh” could find child pornography in the “mega groups I’m in,” and offered to invite Kik user “wmmccaugh” to join that group. Kik user “wmmccaugh” responded, “[t]hanks. Ya if you get any 8-14 I’d appreciate any of it.”

Identification of Kik User Wmccaugh

19. Subpoenaed subscriber records from MediaLab, the holding company that controls Kik, demonstrated that Kik user “wmccaugh” was registered to user “L S” with email address kbnddc@yahoo.com. Subpoenaed account records showed that the kbnddc@yahoo.com email account was registered to “John Smith.” The subpoena results also provided several IP addresses associated with the “wmccaugh” Kik account.

20. Law enforcement subpoenaed AT&T for subscriber information related to the IP addresses associated with the “wmccaugh” Kik account. AT&T was able to locate and provide subscriber information for one of the IP addresses, which was IP address 108.206.40.203 (the “IP Address”). This IP Address was used almost daily by the “wmccaugh” Kik account over the course of the communications that transpired between the “wmccaugh” Kik account and C.L., including from on or about December 29, 2022, through on or about January 20, 2023. This IP Address was also used almost daily by the “wmccaugh” Kik account over the course of the communications

⁴ “PM” stands for “personal message,” and is a term used on social media applications between users to refer to when two users are directly messaging and/or chatting with one another rather than engaging in an online group chat.

that transpired between the “wmccaugh” Kik account and OCE 1 and OCE 2, including from on or about January 27, 2023, through on or about May 23, 2023.

21. The AT&T subscriber information revealed that the billing party for the account was MCCAUGHAN’s father, and had a billing address to his father’s home located in Key Biscayne, Florida. The results also revealed that the account had a service address listed as a residence located at an apartment building in Key Biscayne, Florida (the “RESIDENCE”), and had been serviced at that address during the entire period of time that MCCAUGHAN was communicating with C.L. on Kik.

22. A Florida Driver’s License Database search revealed MCCAUGHAN’s address listed on his Florida Driver’s License is the RESIDENCE since at least in or around April 2018 through the present date.

23. The AT&T subscriber information for the IP Address listed the contact phone number for the account as a number ending in 3414 (the “3414 Number”), a phone number serviced by AT&T. Law enforcement subpoenaed AT&T for subscriber information for phone number ending in 3414. Such records revealed that the number was registered to MCCAUGHAN and had a subscriber address listed as the RESIDENCE.

24. On or about June 1, 2023, law enforcement conducted surveillance at the RESIDENCE and observed MCCAUGHAN inside of the condo when he answered a knock at the door. Based on Miami-Dade Property Appraiser records, the RESIDENCE is a one-bedroom apartment that is approximately 500-square feet large.

25. Through open-source searches, law enforcement discovered what appears to be MCCAUGHAN’s Instagram account (the “Instagram Account”). The username associated with the Instagram Account is listed as “wmccaugh.” Notably, this is the same username used by Kik

user “wmccaugh,” as referenced above. The profile picture associated with the Instagram Account contains a photo depicting MCCAUGHAN and two other unidentified individuals.

The Execution of the Federal Search Warrants

26. On or about July 28, 2023, law enforcement executed three federal search warrants on the RESIDENCE (Case No. 1:23-mj-03466-Louis), MCCAUGHAN’s vehicle (Case No. 1:23-mj-03467-Louis), and MCCAUGHAN’s person (Case No. 1:23-mj-03468-Louis) (collectively referred to as the “Search Warrants”). The Search Warrants authorized the search of any electronic devices found at any of the locations authorized to be searched. Several electronics were seized at the time the Search Warrants were executed.

27. During the execution of the Search Warrants, law enforcement seized an Apple iPhone (the “Phone”), which was found on MCCAUGHAN’s person. Law enforcement conducted a test call to the 3414 Number. Upon conducting the test call of the 3414 Number, the Phone rang, which confirmed that the Phone found on MCCAUGHAN’s person was assigned the same number registered to the IP Address.


28. Prior to entering the RESIDENCE, law enforcement inquired whether there was any other person or pets located inside. The Defendant told law enforcement that he resided at the RESIDENCE alone.

29. During the search of the RESIDENCE, law enforcement also discovered several baggies of suspected cocaine in a nightstand by the Defendant’s bed. Law enforcement also discovered a baggie of suspected cocaine inside the Defendant’s vehicle.


CONCLUSION

30. Based on the aforementioned factual information, I respectfully submit that there is probable cause to support the arrest of MCCAUGHAN, for receipt of child pornography, in violation of Title 18, United States Code, Section 2252(a)(2) and (b)(1), and attempted receipt of child pornography, in violation of Title 18, United States Code, Section 2252(a)(2) and (b)(1).

FURTHER AFFIANT SAYETH NAUGHT.


TIMOTHY AUGUSTYNIAK
SPECIAL AGENT
FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed.R.Crim.P. 4.1
by Face Time this 28 day of July 2023.


HONORABLE LAUREN F. LOUIS
UNITED STATES MAGISTRATE JUDGE